

Exhibit 4

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GEORGE MOORE and VIRGINIA CARTER,
et al., on behalf of themselves
and all others similarly situated,
Plaintiffs,

vs. Case No.

COMPASS GROUP USA, INC., D/B/A 4:18-cv-01962-SEP
CANTEEN,
Defendants.

VIRTUAL REMOTE DEPOSITION OF
PETER FETHERSTON
Wednesday, March 3, 2022

Reported by:
Laura Taylor Martin
CSR No. 4158
Job No. 5106791

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1 Q. Is she still with the company?

2 A. No, sir.

3 Q. Okay. What was her role at the company back in
4 late November of 2018?

5 A. She was senior vice president, responsible for
6 the marketing and retail.

7 Q. Okay. And again, same question to you, sir. I
8 don't see anything on your list of Alicia's areas of
9 focus that had anything to do with either the survey or
10 the appropriate labeling on two-tier vending machines.
11 Is that right?

12 A. That's right.

13 Q. Finally, who's Bud, sir?

14 A. His name is Bud Nixon.

15 Q. Okay. And what was his job back in late
16 November 2018 at Canteen?

17 A. He was VP of technology for Compass, assigned
18 to Canteen.

19 Q. I see.

20 And again, same question, sir. I don't see
21 anything on your list of Bud's areas of focus having to
22 do with either the survey or the appropriate labeling on
23 two-tier vending machines. Is that accurate?

24 A. That's accurate.

25 Q. Okay. So on your PowerPoint that we just

1 scrolled through here -- and again, just so we have the
2 appropriate context, the PowerPoint itself is entitled
3 "Canteen Technology Review." I think you told me that in
4 fact there was -- that the survey had itself involved a
5 significant piece of technology that was being developed.
6 Right?

7 A. Yes.

8 Q. Okay. And I think you called it an app, and I
9 won't pretend to not know about it. In prior depositions
10 it was described to me that an app had been developed so
11 that people in the field could actually conduct a survey
12 by taking a photograph and documenting some information
13 about the machines and these sorts of things.

14 Is that what you're referring to?

15 A. Yes.

16 Q. Okay.

17 So at this late November 2018 meeting, which
18 was a Canteen technology review, is it fair to say, sir,
19 that none of the five folks that you identified as having
20 areas of focus were focused on the survey or the
21 appropriate labeling for two-tier vending machines?

22 A. The -- yeah. If I could answer that this way
23 to you, sir: The slide does not specifically call out
24 two-tier labeling as an area of focus. I accept that.
25 But I want to emphasize that this is a strategic slide

REPORTER'S CERTIFICATION

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken by me remotely at the time herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were duly sworn; that a record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; that the foregoing transcript is a true record of the testimony given.

Further, that if the foregoing pertains to the original transcript of a deposition in a Federal case, before completion of the proceedings, review of the transcript [] was [] was not requested.

I further certify I am neither financially interested in the action nor a relative or employee of any attorney or party to this action.

IN WITNESS WHEREOF, I have this date subscribed my my name this 24th day of March, 2022.



LAURA TAYLOR MARTIN

CSR No. 4158